



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

VIA ELECTRONIC MAIL

April 15, 2016

Mr. Jeffrey J. Olyphant
Peabody Midwest Mining LLC
7100 Eagle Crest Boulevard, Suite 100
Evansville, Indiana 47715

Dear Mr. Olyphant:

Re: Modification Request for
NPDES General Permit No. ING040154
IDNR Permit No. S-0308
Peabody Midwest Mining LLC Viking Mine-
Corning Pit
CR 900 East at CR 350 South
Cannelburg, Indiana
Daviess County

Your NPDES permit Notice of Intent letter received on January 13, 2016, requesting modification of the above-referenced general permit coverage, has been reviewed. As a result of this request the following changes are being made to this permit coverage:

Outfall 004 (latitude 38°, 19', 12.4", longitude -87°, 22', 42.4") and **Outfall 012** (latitude 38°, 17', 52.3", longitude -87°, 22', 43.3"), discharging to unnamed tributaries to West Fork Sugar Creek;

Outfall 026 (latitude 38°, 18', 45.2", longitude -87°, 22', 52.1"), discharging to an unnamed tributary to Dogwood Lake; and

Outfall 035 (latitude 38°, 18', 43.8", longitude -87°, 23', 17.1"), **Outfall 040** (latitude 38°, 18', 20.3", longitude -87°, 23', 21.5"), **Outfall 041** (latitude 38°, 18', 27", longitude -87°, 23', 20"), and **Outfall 123** (latitude 38°, 18', 27", longitude -87°, 23', 20"), all discharging to unnamed tributaries to Aikman Creek, are to be **removed from coverage**; and

Existing **Outfall 027** (latitude 38°, 34', 59", longitude -87°, 01', 48", discharging to Dogwood Lake) is to be **changed to a Post Mining drainage status**.

The request was processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. We have been in contact with representatives of the IDNR in Jasonville, Indiana who have confirmed that all except for existing Outfall 027 are ready to be removed from service as the areas draining to them have been reclaimed sufficiently and are well vegetated. However the sediment pond that discharges through Outfall 027 has not yet reached a pool stage to discharge. Therefore, at the recommendation of the IDNR we are instead revising the mine drainage status of the outfall to Post Mining. Coverage for the facility will now include all outfalls listed on the first table of Attachment 1 to this correspondence.

Mr. Jeffery J. Olyphant
Page 2

The NPDES general permit identification number assigned to this facility in the previous approval will continue to apply, as will all other testing and reporting that are required under 327 IAC 15-7 using the forms that were sent to you previously. Should you need additional copies of this form it is also available on the internet at the following web site:

<http://www.in.gov/idem/cleanwater/2396.htm>

327 IAC 15-7 is also available on the internet at the following website:

<http://www.in.gov/idem/4087.htm>

Additionally, you will continue to receive the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at (317) 232-8670.

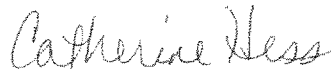
This modification will be deemed effective on **April 1, 2016**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all remaining outfalls remains effective, and will expire on **June 30, 2018**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by approval under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Sij/
Attachment

cc: Gibson County Health Department
Andrew Nelson- Peabody Midwest Mining
Todd Huff- IDNR

ATTACHMENT 1

Peabody Midwest Mining LLC Viking Mine- Corning Pit

NPDES PERMIT NO. ING040154IDNR PERMIT NOS. S-0308

EFFECTIVE DATE: April 1, 2016

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
005	S-0308 001	38°, 36', 20.5"	-86°, 59', 28"	Alkaline	East Fork Sugar Creek
011	S-0308 CM11R phase2	38°, 36', 45"	-87°, 00', 3"	Alkaline	Unnamed Tributary to Aikman Creek
025	S-0308 025	38°, 35', 59"	-87°, 01', 28"	Alkaline	Unnamed tributary to Aikman Creek
<u>027</u>	S-0308 027	38°, 34', 59"	-87°, 01', 48"	<u>Post Mining</u>	Unnamed tributary to Dogwood Lake
031	S-0308 031	38°, 34', 59"	-87°, 02', 11"	Alkaline	Unnamed tributary to Dogwood Lake
032**	S-0308 032	38°, 34', 58"	-87°, 02', 32"	Alkaline	Unnamed tributary to Dogwood Lake
036	S-0308 036	38°, 35', 38"	-87°, 02', 6"	Alkaline	Unnamed tributary to Aikman Creek
038	S-0308 038	38°, 35', 3"	-87°, 02', 34"	Alkaline	Unnamed tributary to Dogwood Lake
124	S-0308 024	38°, 36', 26"	-87°, 01', 34"	Alkaline	Aikman Creek

** denotes an unconstructed outfall.

The following thirty one (31) outfalls have been removed and are no longer covered under this permit:

001	S- 0308 001	38°, 35', 25"	-87°, 0', 29"	Alkaline	West Fork Sugar Creek
002	S- 0308 002	38°, 35', 08"	-87°, 0', 30"	Alkaline	West Fork Sugar Creek
003	S-0308 003	38°, 35', 5.3"	-87°, 00', 21.7"	Alkaline	West Fork Sugar Creek

004	S-0308 18HK-2R	38°, 35', 54"	-86°, 59', 59"	Fully reclaimed	Unnamed Tributary to West Fork Sugar Creek
006	S-0308 006	38°, 36', 14.9"	-87°, 01', 1.7"	Alkaline	West Fork Sugar Creek
007	S-0308 007	38°, 36', 34.1"	-87°, 0', 57.7"	Alkaline	Aikman Creek
008	S-0308 008	38°, 36', 32"	-87°, 0', 46"	Alkaline	Aikman Creek
009	S-0308 009	38°, 36', 41.6"	-87°, 00', 42.6"	Post-Mining	Aikman Creek
010	S-0308 010	38°, 36', 30"	-87°, 59', 55"	Alkaline	Aikman Creek
012	S-0308 CM12 cell B	38°, 35', 47"	-87°, 00', 11"	Fully reclaimed	Unnamed Tributary to West Fork Sugar Creek
013	S-0308 013	38°, 36', 35"	-87°, 01', 7.9"	Alkaline	Aikman Creek
014	S-0308 014	38°, 36', 27.3"	-87°, 01', 1.8"	Alkaline	Aikman Creek
015	S-0308 015	38°, 36', 29.9"	-87°, 01', 14"	Alkaline	Aikman Creek
016	S-0308 016	38°, 36', 27.9"	-87°, 01', 34.6"	Alkaline	Aikman Creek
019	S-0308 019	38°, 36', 44"	-87°, 0', 35"	Alkaline	Aikman Creek
020	S-0308 020	38°, 35', 53"	-87°, 00', 19"	Undetermined	Aikman Creek
021	S-0308 021	38°, 35', 41.7"	-87°, 0', 35.9"	Alkaline	West Fork Sugar Creek
022	S-0308 022	38°, 35', 8.7"	-87°, 01', 16.2"	Alkaline	Dogwood Lake
023	S-0308 023	38°, 36', 18.8"	-87°, 01', 48.6"	Alkaline	Unnamed tributary to Aikman Creek
024	S-0308 024	38°, 36', 25.9"	-87°, 01', 35.1"	Mined through	Aikman Creek
026	S-	38°, 35', 01"	-87°, 01', 18"	Fully reclaimed	Unnamed tributary to

	0308 026				Dogwood Lake
028	S- 0308 028	38°, 35', 28.9"	-87°, 01', 47.1"	Alkaline	Unnamed tributary to Dogwood Lake
029	S- 0308 029	38°, 35', 21.3"	-87°, 01', 50.3"	Alkaline	Unnamed tributary to Dogwood Lake
030	S- 0308 030	38°, 35', 6.2"	-87°, 01', 57.4"	Alkaline	Unnamed tributary to Dogwood Lake
034	S- 0308 034	38°, 36', 31"	-87°, 01', 32"	Alkaline	Aikman Creek
<u>035</u>	S- 0308 035	38°, 36', 8"	-87°, 01', 45"	<u>Fully reclaimed</u>	Unnamed Tributary to Aikman Creek
039	S- 0308 039	38°, 36', 28"	-87°, 01', 34"	Alkaline	Unnamed tributary to Aikman Creek
<u>040</u>	S- 0308 040	38°, 36', 31.5"	-87°, 01', 34.5"	<u>Fully reclaimed</u>	Unnamed tributary to Aikman Creek
<u>041</u>	S- 0308 041	38°, 36', 33"	-87°, 01', 11"	<u>Fully reclaimed</u>	Unnamed tributary to Aikman Creek
<u>123</u>	S-0308 023 Ph. 2	38°, 36', 17"	-87°, 01', 44"	<u>Fully reclaimed</u>	Unnamed tributary to Aikman Creek
133	S- 0308 033	38°, 35', 15"	-87°, 01', 44"	Alkaline	Unnamed tributary to Dogwood Lake

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2016 – 4D -GP

DATE OF NOTICE: April 15, 2016

The Office of Water Quality approves the following for NPDES **GENERAL PERMIT** coverage.

MODIFICATION

PEABODY MIDWEST MINING, LLC – VIKING MINE, CORNING PIT, Permit No. ING040154, DAVIESS COUNTY, Cannelburg, IN. This modification is being issued because the facility is changing mine drainage status on 1 outfall and deleting 7 other outfalls. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



Indiana Department of Environmental Management
 NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
 327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation
 Activities

I. PURPOSE OF SUBMITTAL:				01/8/2016
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.				
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
		X	ING040154	Outfall 004, 012, 026, 027, 035, 040, 041, and 123 are being dropped from the permit.

II. GENERAL INFORMATION										
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.										
a. APPLICANT NAME (TO THE ATTENTION OF)				e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER		
Peabody Midwest Mining, LLC. Attn: Jeffrey Olyphant				1211		Daviness		S-00308		
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER						
COMPANY NAME Peabody Midwest Mining, LLC.				Latitude			Longitude			
STREET ADDRESS 566 Dickeyville Rd				Degrees	minutes	seconds	degrees	minutes	seconds	
CITY Lynnville	STATE IN	ZIP CODE 47619		38°	35'	58"	87°	01'	37"	
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION						
Peabody Midwest Mining, LLC. Viking Mine – Corning Pit				Township		Range		Section		Quartersection
				2N		5W		17, 18		
				2N		6W		13, 14, 23, 24		
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM Hd						
STREET ADDRESS C.R. 850E				STREET ADDRESS N/A						
CITY Cannelburg	STATE IN	ZIP CODE 47519		CITY N/A		STATE N/A		ZIP CODE N/A		

III. CONTACT INFORMATION AUTHORIZED SIGNATORY	
This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
Jeffrey Olyphant, Authorized Representative	Andy Nelson, Authorized Representative
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1047	(812) 922-1045
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jolyphant@peabodyenergy.com	anelson@peabodyenergy.com

IV. CONTACT INFORMATION OTHER:

DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC.	
a. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		d. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
b. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		e. <u>CITY</u> Lynnville	f. <u>STATE</u> IN
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		g. <u>ZIP CODE</u> 47619	
		i. <u>COMPANY AND CONTACT PERSON NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC.	
h. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		k. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
i. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		l. <u>CITY</u> Lynnville	m. <u>STATE</u> IN
		n. <u>ZIP CODE</u> 47619	
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. <u>COMPANY AND CONTACT PERSON NAME</u> Andy Nelson Peabody Midwest Mining, LLC.	
o. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1045		r. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
p. <u>CONTACT EMAIL ADDRESS</u> anelson@peabodyenergy.com		s. <u>CITY</u> Lynnville	t. <u>STATE</u> IN
		u. <u>ZIP CODE</u> 47619	

V. RULE QUALIFICATION:

The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.

Does this facility meet these requirements? (please check one) YES ☒ NO ☐

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.

This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
See Attachment VI										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	

* DWBF – Dry Weather Base Flow

Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if it is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
004	18HK-2R	38	35	54	86	59	59	0	Dropped	N	Unnamed trib. to West Fork Sugar Creek
005	001	38	36	20.5	86	59	27.6	0	Alkaline	N	East Fork Sugar Creek
011	CM11R Phase 2	38	36	44.6	87	00	02.9	0	Alkaline	N	Unnamed trib. to Aikman Creek
012	CM-12 Cell B	38	35	46.8	87	00	10.7	0	Dropped	N	Unnamed trib. to West Fork Sugar Creek
025	025	38	35	58.9	87	01	28.1	0	Alkaline	N	Unnamed trib to Aikman Creek
026	026	38	35	01	87	01	18	0	Dropped	N	Unnamed trib to Dogwood Lake
027	027	38	34	58.6	87	01	48.4	0	Dropped	N	Unnamed trib to Dogwood Lake
031	031	38	34	58.9	87	02	11.4	0	Alkaline	N	Unnamed trib to Dogwood Lake
032**	032	38	34	58.4	87	02	31.6	0	Alkaline	N	Unnamed trib to Dogwood Lake
034	034	38	36	31	87	01	32	0	Dropped	N	Aikman Creek
035	035	38	36	08	87	01	45	0	Dropped	N	Unnamed trib. to Aikman Creek
036	036	38	35	37.6	87	02	06.1	0	Alkaline	N	Unnamed trib to Aikman Creek
038	038	38	35	03	87	02	34	0	Alkaline	N	Unnamed trib to Dogwood Lake
039	039	38	36	28.1	87	01	33.9	0	Dropped	N	Unnamed trib to Aikman Creek
040	040	38	36	31.5	87	01	34.5	0	Dropped	N	Unnamed trib to Aikman Creek
041	041	38	36	32.8	87	01	10.7	0	Dropped	N	Unnamed trib to Aikman Creek
123	023 Phase 2	38	36	17	87	01	44	0	Dropped	N	Unnamed trib to Aikman Creek
124	024	38	36	26	87	01	34	0	Alkaline	N	Aikman Creek

*DWBF – Dry Weather Base Flow

**Unconstructed

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
004	18HK-2R	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
012	CM12 Cell B	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
026	SB-026	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
027	SB-027	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
035	SB-035	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
040	SB-040	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
041	SB-041	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.
123	SB-023	DEL	2/1/2016	The area draining to this outfall has been reclaimed and is vegetated and stable.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
 Office of Environmental Adjudication
 Indiana Government Center – North
 100 North Senate Avenue, Room N501
 Indianapolis, Indiana 46204"

Please note: The public notice for this area was published with the original Notice of Intent/Renewal. The outfalls being modified in this NOI are in areas that have previously been public noticed.

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

XI. REQUIRED FEES:

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

A check payable to IDEM in the amount of \$ 50.00 is attached to this application.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

I have forwarded a copy of this application as is required to Mr. Brad Loveless, Indiana Department of Natural Resources, Division of Reclamation, 14619 West State Road 48, Jasonville, IN 47438 on this date.

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

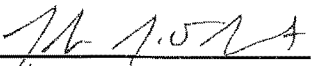
"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Jeffrey J. Olyphant, *Authorized Representative*

(812) 922-1047

Name and official title (type or print)

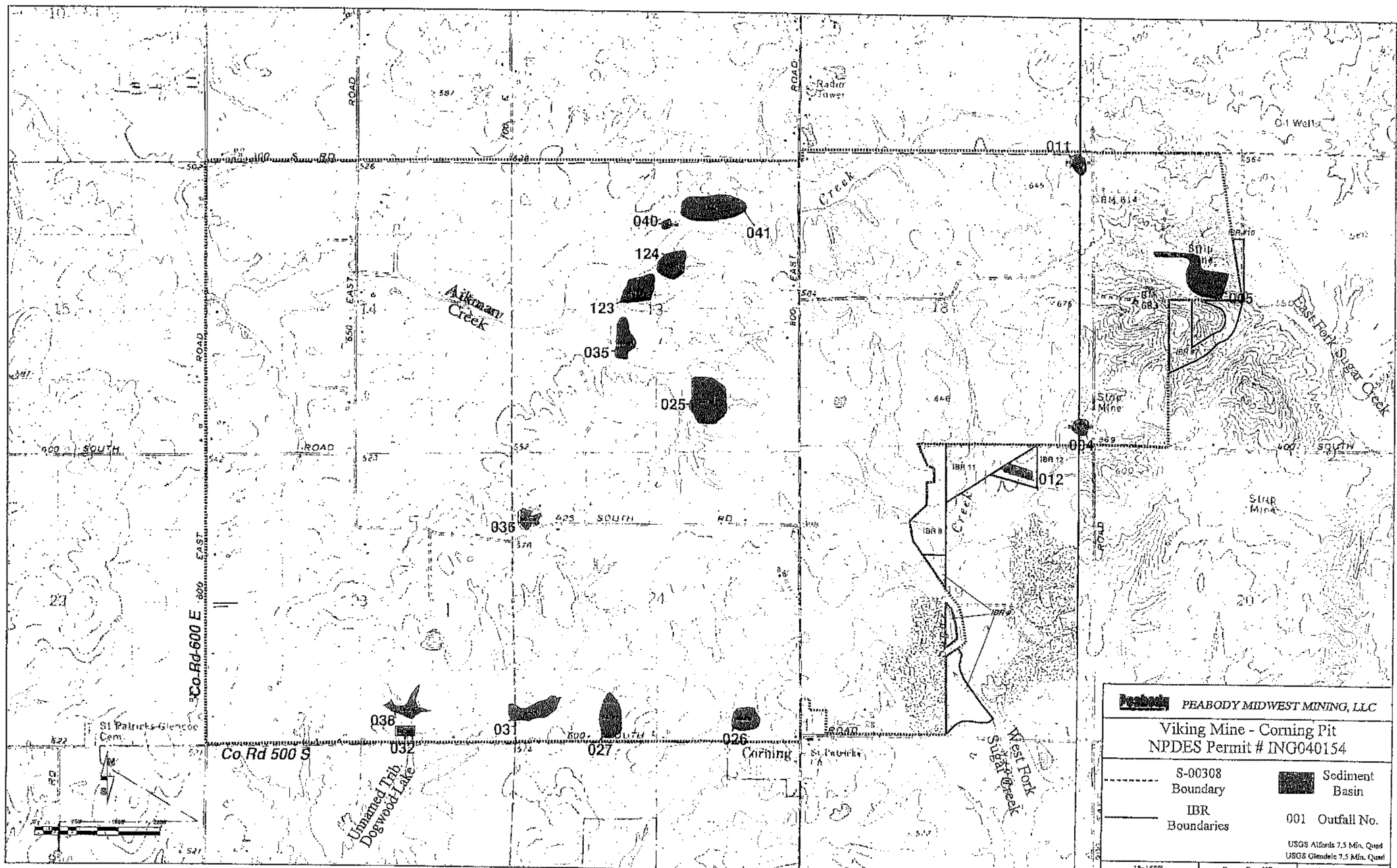
Area Code and phone No.


Signature

1/8/2016
Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**



PEABODY MIDWEST MINING, LLC	
Viking Mine - Corning Pit NPDES Permit # ING040154	
--- S-00308 Boundary	Sediment Basin
--- IBR Boundaries	001 Outfall No.
USGS Altitude 7.5 Min. Quad USGS Glendale 7.5 Min. Quad	